REMARKS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 1-27 remain pending in connection with the present application, and claims 1, 8, 26 and 27 are independent claims.

REQUEST FOR CONTINUED EXAMINATION

Applicants acknowledge and thank the Examiner for the acceptance of Applicants' Request for Continued Examination (RCE) filed February 20, 2005.

PRIOR ART REJECTIONS

Rejections under 35 U.S.C. § 103(a)

Claims 1-27 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Gloudeman et al. (U.S. Patent No. 6,119,125, hereinafter referred to as "Gloudeman") in view of Fraley et al. (U.S. Patent No. 6,263,492, hereinafter referred to as "Fraley"). This rejection is respectfully traversed.

On page 3 of the March 8, 2005 Office Action, the Examiner submits that "each object in the system is identified by an access key object," and relies upon col. 19, lines 38-45 [of Gloudeman], for allegedly teaching "supplying, via the objects, an identifying designation of a type of respective representative to the engineering system," as set forth in claim 1, for example. However, Applicants respectfully disagree with the Examiner's conclusion.

Col. 19, lines 38-45 of Gloudeman states:

...each Access Key Object assigned to an operator dictates access privileges to and functional capabilities over a predefined collection of objects when access is attempted from the one <u>or more user interfaces identified in the access key object. One or more keys can be assigned to each operator object</u>. The creation, modification and deletion of these objects may only be performed by the site administrator(s)... (<u>emphasis added</u>)

From the above cited portion of Gloudeman, even assuming *arguendo* that the key could be regarded as an identifying designation (which Applicants do not admit and respectfully submit that they cannot), the purpose of an Access Key is to <u>provide access to the respective object</u> and <u>not</u> to identify the object. Furthermore, while one or more keys can be assigned to each operator object, a single Access Key can identify multiple objects. As such, Applicants respectfully submit that Gloudeman fails to teach or suggest that the objects of the automation system supply identifying designations to the engineering system and <u>not</u> simply identifying designations of their respective representatives. As such, Applicants respectfully submit that Gloudeman fails to teach or suggest, "supplying, via the objects, an identifying designation of a type of respective representative to the engineering system," as set forth in claim 1, for example

On page 3 of the March 8, 2005 Office Action, the Examiner further relies upon, a "building automation system containing objects: col. 1, lines 40-58 [of Gloudeman]," for allegedly teaching "creating, via the engineering system, corresponding representatives for the designated types and, for each of the representatives," as set forth in claim 1, for example. However, Applicants also disagree with this conclusion by the Examiner.

13

The claimed invention as set forth in claim 1, for example, relates to a method for the automatic <u>retrieval</u> of engineering data <u>from</u> the automation system and <u>not</u> to <u>creating</u> applications in an automation system.

In contrast to the claimed invention, as set forth in claim 1, for example, col. 1, lines 40-58 of Gloudeman explicitly states:

> A computer-implemented building automation system provides a <u>computer software architecture</u> that supports object-oriented system development. An application engineer <u>designs an application</u> to perform a building automation function to solve a problem or customer need in the context of a building automation system. In the object-oriented paradigm, <u>standard objects are the fundamental building block used to construct an application</u>. Based on predetermined physical relationships defined by physical laws associated with building automation functions, <u>the present invention defines a fundamental set of control-based standard objects</u> for constructing an application. An <u>additional set of information-type standard objects</u> have also been defined for use in conjunction with this set of control-based standard objects. Standard objects are interconnected by "pulling" or "pushing" information from one standard object to another standard object using common communication methods. Assembly objects and application objects are two additional types of user-defined standard objects for interconnecting standard objects. (<u>emphasis added</u>).

The above passage discloses the design or <u>creation of an application</u> for performing a building automation function based on objects. That is, in contrast to the claimed invention as set forth in claim 1, for example, Gloudeman merely creates an application using object oriented programming (i.e., an application based on objects). Gloudeman does not, however, create corresponding representatives in the engineering system for designated types and does <u>not</u> enter a reference to <u>an already existing object</u> in the automation system, for each of the representatives. Accordingly, Applicants respectfully

submit that Gloudeman fails to teach or suggest, "creating, via the engineering system, corresponding representatives for the designated types and, for each of the representatives," as set forth in claim 1, for example.

Further still, on page 3 of the March 8, 2005 Office Action, the Examiner relies upon "the objects are read out by using Read and Signup method: col. 6, lines 55-65 [of Gloudeman]," for allegedly teaching "having, based upon the reference, each representative read out engineering information from the object," as set forth in claim 1, for example. However, Applicants also disagree with this conclusion by the Examiner.

In col. 6, lines 55-65, Gloudeman arguably discloses communication between different objects; however, Gloudeman does not teach any reading of engineering information from the automation system object by each representative in the engineering system. In further support of the Examiner's conclusion, the Examiner refers to col. 27, lines 8-14 of Gloudeman, which state:

> ...the Trend object includes the specification of the data collection sampling method, sample interval, the data buffer size, the storage method, the trend buffer upload interval. Prior to buffer overflow, the Trend object uploads its data to designated intermediate storage devices. Typically the user is unaware of the upload of trend data to archived PC files unless file full alarms or data routing problems are encountered... (emphasis added)

From the above passage it is clear that, while Gloudeman arguably uploads data, the upload concerns trend data, that is, data from the running automation system such as alarms or failures, and not engineering information.

15

Furthermore, on pages 3 and 4 of the March 8, 2005 Office Action, the Examiner correctly recognizes that Gloudeman fails to teach or suggest "entering a reference to the object," as set forth in claim 1, for example, and relies upon col. 6, lines 60-67 and col. 7, lines 18-22 of Fraley for allegedly teaching this limitation. More specifically, the Examiner relies on the above cited portions of Fraley for allegedly teaching that it is known to refer to objects through pointers or link references. However, Applicants respectfully disagree with the Examiner's conclusion.

In the above cited passages of Fraley, an application makes reference to an object through an object pointer. That is, in Fraley, object data can be linked to an object such that <u>only</u> a link reference to the data is <u>stored</u> in the object. However, Applicants respectfully submit that even assuming *arguendo* that Fraley could be combined with Gloudeman (which Applicants do not admit for at least the reasons set forth in Applicants' May 24, 2004 Response, the contents of which are incorporated herein by reference), Applicants respectfully submit that Fraley also would still fail to at least make up for that deficiencies of Gloudeman as discussed above.

Accordingly, Applicants respectfully submit that neither Gloudeman nor Fraley, either alone or in combination, teach or suggest all of the limitations set forth in claim 1, for example.

Furthermore, with regard to claims 8, 26 and 27, Applicants respectfully submit that these claims are also allowable for at least reasons somewhat similar to those set forth above with regard to claim 1. However, these

independent claims should be interpreted solely by the limitations present therein.

With regard to dependent claims 2-7 and 9-25, Applicants respectfully submit that these dependent claims are allowable at least by virtue of their dependency on independent claims 1 and 8.

In view of the above, Applicants respectfully request withdrawal of the outstanding rejections.

CONCLUSION

In view of above remarks, reconsideration of the outstanding rejection and allowance of the pending claims is respectfully requested.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicants hereby petition for a one (1) month extension of time for filing a reply to the outstanding Office Action and submit the required $120.00 extension fee herewith.
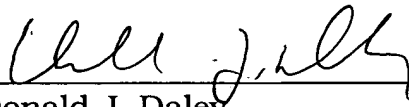
If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone Andrew M. Waxman, Reg. No. 56,007, at the number of the undersigned listed below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. §§ 1.16

or 1.17; particularly, extension of time fees.

Respectfully submitted,

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